REMARKS/ARGUMENTS

The following remarks attend to all outstanding issues in the non-final Office Action mailed October 21, 2004. The Application presented claims 31-49 for examination. The present response amends claims 31, 32, 39-41 and 47-49, and adds claims 58-69. Applicants respectfully request favorable consideration of the pending claims in view of the following remarks.

By action taken here, Applicants in no way intend to surrender any range of equivalents beyond that needed to patentably distinguish the claimed invention as a whole over the prior art. Applicants expressly reserve all such equivalents that may fall in the range between Applicants' literal claim recitations and combinations taught or suggested by the prior art.

Claim Rejections under 35 U.S.C. § 102(e)

In the Office Action mailed October 21, 2004, the Examiner rejected claims 30-34, 37, 42-44 and 46 under 35 U.S.C. 102(e) in view of FURST (US Patent 6,297,819). Applicants respectfully traverse in part and overcome in part. In the above amendment, the limitation of claim 32 has been incorporated into claim 31, and claim 32 has been currently amended.

In rejecting claim 32 (now claim 31), the Examiner's only explanation was that "the first internet content comprises a definition of a frame for the visual manifestation." The Applicants respectfully traverse the rejection. When considered as a whole, the limitation of claim 32 (now claim 31) requires that *the definition of the frame, which is part of the Internet content, must be in a format readable by a Web browser program*. The Examiner's rejection did not take this implicit claim requirement into account, and did not set forth any explanation why this implicit claim requirement is taught or suggested by FURST.

Furthermore, in rejecting claim 32 (now claim 31), the Examiner indicated in the Office Action that "it must be inherent that the system of FURST to define a frame of the tool since third parties define the icon in which to display the tool." As the Examiner pointed out, the system of FURST, not the Internet content, defines a frame of the tool. While the system of

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FURST may itself be downloaded from the Internet, FURST's system is not programmed in a format readable by a Web browser program. Accordingly, at least for these reasons, it is the Applicants' only conclusion that the Examiner's rejection is unsupported and that claim 32 (now claim 31) is not anticipated by FURST.

Applicants respectfully request clarification for the Examiner's assertion in paragraph 4 of the Office Action that in FURST "third parties define the icon in which to display the tool." Applicants note that third parties may define the icon for FURST's system, but no "tool" is displayed within the icon.

The claimed limitation of the previously pending claim 32 has been incorporated into the currently amended claim 31, the allowance of which is respectfully solicited. Currently amended claim 32, which depends on claim 31, contains the explicit limitation that the frame definition is programmable in a format readable by a Web browser program. Claims 33-41, depend on claim 31. Allowance of these claims is respectfully solicited as well.

In rejecting claim 37, the Office Action in paragraph 6 stated "FURST discloses the Internet content comprises JavaScript (Jscript)." Applicants respectfully point out that Jscript is not the same as JavaScript. Jscript is a scripting language developed by Microsoft Corporation, while JavaScript is created by Netscape Communications Corporation. Applicants further submit that the rejection of claim 37 is now moot, since claim 31 has been amended.

In rejecting claim 42, the Office Action in paragraph 7 stated "FURST discloses the invention substantively as described in the claims listed above. FURST furthermore discloses a second visual manifestation of a frame through which the first visual manifestation is presented (the tool icon and the definition of the frame as seen in Figure 5, 502, 504, 506)." Applicants respectfully traverse the rejection.

Claim 42 contains the limitations of "receiving Internet content, wherein the Internet content is programmed in a format readable by a Web browser program" and "determining that the Internet content includes a definition for a frame that surrounds a first visual manifestation for the Internet content." Taken as a whole, the claimed invention of claim 42 requires the step of *determining whether the received Internet content, which is readable by a Web browser*

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program, includes a definition of the frame that surrounds the Internet content. The Applicants respectfully submit that FURST does not teach such a step, and that the Office Action did not set forth the Examiner's rationale for rejecting this claim requirement. Accordingly, it is Applicants' only conclusion that the claim rejection is unsupported and that FURST does not anticipate the claimed invention.

Applicants respectfully solicit the allowance of Claim 42 and its dependent claims 43-49.

Claim rejection under 35 U.S.C. § 103(a)

In the Office Action mailed October 21, 2004, the Examiner rejected claims 35-36, 38-41, and 45-49 under 35 U.S.C. 103(a) in view of FURST (US Patent 6,297,819). Applicants respectfully traverse.

In rejecting claims 35, 36, and 45, the Office Action in paragraph 12 stated "it is well known that .... in defining the frames of these web pages, XML tags are used in order to correctly define the frame." However, no Official Notice was taken, nor was there a parenthetical reference to any specific paragraph or portion of FURST or any other patents that would suggest the capability of using XML to define a frame that is displayed outside the confines of a Web browser program. Applicants hereby respectfully request the Examiner to provide prior art references that support the Examiner's assertion. Without such references, the Applicants can only conclude that the Examiner's rejections are unsupported and that *prima facie* obviousness is not established for these claims.

In rejecting claim 38, the Office Action in paragraph 13 stated "it is well known that JavaScript has the capability of defining a frame for the tool and one of ordinary skill in the art would find it obvious to do so. By this rationale it would have been obvious to one of ordinary skill in the art to include JavaScript tags in the code in order to provide a more robust method of coding the icons and windows and a bar in order to provide a language in which many browsers understand, thereby increasing the accessibility of the invention."

Applicants respectfully traverse the rejection of claim 38. First, no Official Notice was taken, nor was there a parenthetical reference to any specific paragraph or portion of FURST or

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any other patents that would suggest it is well known that JavaScript tags have the capability to define a frame or any other objects outside of the confines of a Web browser program. Applicants respectfully submit that JavaScript is a language created by Netscape Communications Corporation for use with Netscape Web browser programs and Microsoft's Internet Explorer program. Applicants hereby respectfully request the Examiner to provide prior art references that support the Examiner's assertion. Without such references, the Applicants can only conclude that the Examiner's rejections are unsupported and that *prima facie* obviousness is not established for these claims.

In rejecting claims 39-41 and 47-49, the Office Action in paragraph 14 stated "creating a media player, a calculator or accessing streaming media ... are well known in the art and one of ordinary skill in the art (i.e., calculation applets are prevalent on the web, media players can be inserted into web browsers, which would stream media from servers) would find it obvious to be able to encode a visual manifestation of these applications in order to provide the viewing public a copy of the application, thereby increasing the knowledge of the general public."

Applicants respectfully traverse the rejections. First, no Official Action was taken, nor was there a parenthetical reference to any specific paragraph or portion of FURST or any other patents that would suggest the claimed limitations. Furthermore, the Applicants respectfully submit that the Examiner has ignored a key aspect of the claim. That is, according to the claimed invention, the "calculator", "media player" etc., are displayed without the confines of a window of a Web browser program. At the same time, the "calculator", "media player," etc., of the claimed invention are created by Internet content programmed to be readable by a Web browser program, as opposed to prior art "calculator", "media player" programs that are not programmed in a format readable by a Web browser programs. The Applicants respectfully request that the Examiner provide references that teach or suggest calculation applets, media players, etc., *that are not confined by the windows of, and yet programmed in a format readable by, a Web browser program.*

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Nevertheless, Applicants have amended claims 39-41 and 47-49 to more particularly point out and distinctly claim the present invention. Applicants respectfully submit the claim limitations of 39-41 and 47-49 are not taught or suggested by FURST.

New claims 58-69

Since the inception of the World Wide Web, standard Internet content (such as Web pages written in HTML, JavaScript) has always been rendered by and presented through a Web browser program (e.g., Microsoft® Internet Explorer®). It is interesting to note that all Web browser programs available in the market place share a common feature: Web browser programs have a user interface, or "window frame," with buttons like "Forward," "Backward," "Home," etc. A user of a Web browser program is given some flexibility in configuring the user interface or "window frame." For instance, the user may change the size of the window frame, or remove some buttons. The browser vendor (e.g., Microsoft Corporation) also has some control over the appearance of the "window frame," such as the appearance of the "home" icon, and the branding of the browser.

None of those Web browser programs, however, enable Web content providers (e.g., the author of a Web page) to control the functionality or appearance of the user interface of the Web browser program.

The invention provides a software platform through which Web content designers can present Internet content (e.g., Web pages written in HTML, XML, JavaScript) together with a user interface (e.g., a frame that surrounds the content data) that the Web content providers may have some control over. In other words, in addition to defining the content, Web content providers may define the functionality of the user interface through which the content is presented. As an example, an embodiment of the invention enables a Web content provider to define the appearance of a user interface for the Web content (e.g., a "frame" that surrounds the Web content). In addition, the invention enables the Web content provider to define the functionality of the user interface, such as the selectable options of a pull-down menu of the
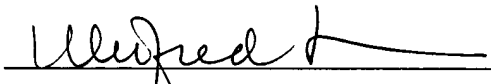
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"frame". Applicants respectfully submit this feature, *inter alia*, is not taught or suggested by the cited references, including FURST.

Conclusion

In view of the foregoing, the Applicants respectfully submit that the previously cited references do not teach or suggest the specific systems and methods as claimed. Accordingly, the Applicants respectfully submit that the pending claims are allowable.

Respectfully submitted,

Date: <u>April 5, 2005</u>   _Wilfred_ _____ 41,923

Wilfred Lam   (Reg. No.)

Innovation Management Sciences
970 Terra Bella Avenue, Suite 8
Mountain View, California 94043
(650) 969-8300

Enclosure

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